

AMENDMENTS TO LB 820

Introduced by Transportation and Telecommunications.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 60-6,298, Revised Statutes Cumulative
4 Supplement, 2008, is amended to read:

5 60-6,298 (1)(a) The Department of Roads or the Nebraska
6 State Patrol, with respect to highways under its jurisdiction
7 including the National System of Interstate and Defense Highways,
8 and local authorities, with respect to highways under their
9 jurisdiction, may in their discretion upon application and good
10 cause being shown therefor issue a special, continuing, or
11 continuous permit in writing authorizing the applicant or his
12 or her designee:

13 (i) To operate or move a vehicle, a combination of
14 vehicles, or objects of a size or weight of vehicle or load
15 exceeding the maximum specified by law when such permit is
16 necessary:

17 (A) To further the national defense or the general
18 welfare;

19 (B) To permit movement of cost-saving equipment to be
20 used in highway or other public construction or in agricultural
21 land treatment; or

22 (C) Because of an emergency, an unusual circumstance, or
23 a very special situation;

1 (ii) To operate vehicles, for a distance up to one
2 hundred twenty miles, loaded up to fifteen percent greater than the
3 maximum weight specified by law, up to ten percent greater than the
4 maximum length specified by law, except that for a truck-tractor
5 semitrailer trailer combination utilized to transport sugar beets
6 which may be up to twenty-five percent greater than the maximum
7 length specified by law, or both, when carrying grain or other
8 seasonally harvested products from the field where such grain or
9 products are harvested to storage, market, or stockpile in the
10 field or from stockpile to market or factory when failure to
11 move such grain or products in abundant quantities would cause an
12 economic loss to the person or persons whose grain or products are
13 being transported or when failure to move such grain or products
14 in as large quantities as possible would not be in the best
15 interests of the national defense or general welfare. The distance
16 limitation may be waived for vehicles when carrying dry beans from
17 the field where harvested to storage or market when dry beans
18 are not normally stored, purchased, or used within the permittee's
19 local area and must be transported more than one hundred twenty
20 miles to an available marketing or storage destination. No permit
21 shall authorize a weight greater than twenty thousand pounds on any
22 single axle;

23 (iii) To transport an implement of husbandry which does
24 not exceed twelve and one-half feet in width during daylight hours,
25 except that the permit shall not allow transport on holidays;

26 (iv) To operate one or more recreational vehicles, as
27 defined in section 71-4603, exceeding the maximum width specified

1 by law if movement of the recreational vehicles is prior to retail
2 sale and the recreational vehicles comply with subdivision (2)(k)
3 of section 60-6,288; or

4 (v) To operate an emergency vehicle for purposes of sale,
5 demonstration, exhibit, or delivery, if the applicant or his or her
6 designee is a manufacturer or sales agent of the emergency vehicle.
7 No permit shall be issued for an emergency vehicle which weighs
8 over sixty thousand pounds on a the tandem axle.

9 (b) No permit shall be issued under subdivision (a)(i)
10 of this subsection for a vehicle carrying a load unless such
11 vehicle is loaded with an object which exceeds the size or weight
12 limitations, which cannot be dismantled or reduced in size or
13 weight without great difficulty, and which of necessity must be
14 moved over the highways to reach its intended destination. No
15 permit shall be required for the temporary movement on highways
16 other than dustless-surfaced state highways and for necessary
17 access to points on such highways during daylight hours of
18 cost-saving equipment to be used in highway or other public
19 construction or in agricultural land treatment when such temporary
20 movement is necessary and for a reasonable distance.

21 (2) The application for any such permit shall
22 specifically describe the vehicle, the load to be operated or
23 moved, whenever possible the particular highways for which permit
24 to operate is requested, and whether such permit is requested for a
25 single trip or for continuous or continuing operation.

26 (3) The department or local authority is authorized to
27 issue or withhold such permit at its discretion or, if such permit

1 is issued, to limit the number of days during which the permit
2 is valid, to limit the number of trips, to establish seasonal or
3 other time limitations within which the vehicles described may be
4 operated on the highways indicated, or to issue a continuous or
5 continuing permit for use on all highways, including the National
6 System of Interstate and Defense Highways. The permits are subject
7 to reasonable conditions as to periodic renewal of such permit
8 and as to operation or movement of such vehicles. The department
9 or local authority may otherwise limit or prescribe conditions
10 of operation of such vehicle or vehicles, when necessary to
11 assure against undue damage to the road foundations, surfaces, or
12 structures or undue danger to the public safety. The department or
13 local authority may require such undertaking or other security as
14 may be deemed necessary to compensate for any injury to any roadway
15 or road structure.

16 (4) Every such permit shall be carried in the vehicle
17 to which it refers and shall be open to inspection by any peace
18 officer, carrier enforcement officer, or authorized agent of any
19 authority granting such permit. Each such permit shall state the
20 maximum weight permissible on a single axle or combination of axles
21 and the total gross weight allowed. No person shall violate any
22 of the terms or conditions of such special permit. In case of any
23 violation, the permit shall be deemed automatically revoked and the
24 penalty of the original limitations shall be applied unless:

25 (a) The violation consists solely of exceeding the size
26 or weight specified by the permit, in which case only the penalty
27 of the original size or weight limitation exceeded shall be

1 applied; or

2 (b) The total gross load is within the maximum authorized
3 by the permit, no axle is more than ten percent in excess of the
4 maximum load for such axle or group of axles authorized by the
5 permit, and such load can be shifted to meet the weight limitations
6 of wheel and axle loads authorized by such permit. Such shift may
7 be made without penalty if it is made at the state or commercial
8 scale designated in the permit. The vehicle may travel from its
9 point of origin to such designated scale without penalty, and a
10 scale ticket from such scale, showing the vehicle to be properly
11 loaded and within the gross and axle weights authorized by the
12 permit, shall be reasonable evidence of compliance with the terms
13 of the permit.

14 (5) The department or local authority issuing a permit
15 as provided in this section may adopt and promulgate rules and
16 regulations with respect to the issuance of permits provided for in
17 this section.

18 (6) The department shall make available applications
19 for permits authorized pursuant to subdivisions (1)(a)(ii) and
20 (1)(a)(iii) of this section in the office of each county treasurer.
21 The department may make available applications for all other
22 permits authorized by this section to the office of the county
23 treasurer and may make available applications for all permits
24 authorized by this section to any other location chosen by the
25 department.

26 (7) The department or local authority issuing a permit
27 may require a permit fee of not to exceed twenty-five dollars,

1 except that:

2 (a) The fee for a continuous or continuing permit may not
3 exceed twenty-five dollars for a ninety-day period, fifty dollars
4 for a one-hundred-eighty-day period, or one hundred dollars for a
5 one-year period; and

6 (b) The fee for permits issued pursuant to subdivision
7 (1)(a)(ii) of this section shall be twenty-five dollars for a
8 thirty-day permit and fifty dollars for a sixty-day permit. Permits
9 issued pursuant to such subdivision shall be valid for thirty days
10 or sixty days and shall be renewable for a total number of days not
11 to exceed one hundred and twenty days per year.

12 A vehicle or combination of vehicles for which an
13 application for a permit is requested pursuant to this section
14 shall be registered under section 60-3,147 or 60-3,198 for the
15 maximum gross vehicle weight that is permitted pursuant to section
16 60-6,294 before a permit shall be issued.

17 Sec. 2. Original section 60-6,298, Revised Statutes
18 Cumulative Supplement, 2008, is repealed.